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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JESUS TORRES,  
Plaintiff,  
v.  
ARLENE M. FLICK  
Defendant.

**Case No. C 05-1295 EDL**

**JOINT CASE MANAGEMENT  
CONFERENCE STATEMENT AND ORDER**

Date: February 14, 2006  
Time: 10:00 a.m.  
Place: Courtroom E; 15<sup>th</sup> Floor

The parties to this action submit this Joint Case Management Conference Statement as an update to the Joint Case Management Conference Statement submitted by the parties on December 1, 2005, in accordance with the Court's Order Continuing Further Case Management Conference entered December 5, 2005.

The parties in the *Jesus Torres v. Rite Aid* case (pending in this Court before Judge Alsup), which involves the same plaintiff and the same claims asserted in this action, filed cross-

1 motions for summary judgment on November 30, 2005. The Court heard oral argument on the  
 2 motions on January 19, 2006, and subsequently denied both motions.

3 The parties are currently involved in settlement negotiations involving all three cases filed  
 4 by plaintiff in this Court, including this one, and a fourth case pending in the Eastern District of  
 5 California. The parties request that this Court continue the February 14, 2006 Case Management  
 6 Conference sixty (60) days to allow the parties the opportunity to focus on settlement discussions  
 7 that may resolve this matter.

8  
 9 Date: February 7, 2006

Date: February 7, 2006

10  
 11 THOMAS N. STEWART, III

JONES DAY

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 13 /s/ Thomas N. Stewart, III  
 Attorney for Plaintiff Jesus Torres

/s/ Donna M. Mezias  
 Attorneys for Defendant Arlene M. Flick

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 15 **CASE MANAGEMENT CONFERENCE ORDER**

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 17 The Case Management Conference Statement and Proposed Order is hereby adopted by  
 18 the Court as the Case Management Conference Order for the case. A further Case Management  
 19 Conference is scheduled for April 18, 2006. An updated joint case management conference statement  
 shall be filed no later than April 11, 2006.

20 Dated: February 9, 2006

21 SFI-537410v1

